

REMARKS

Applicant respectfully requests favorable reconsideration of this application, as amended.

Claims 1-5, 7, and 12 have been amended to clarify the invention intended to be claimed and to address the concerns noted in the Office Action. Claim 14 has been added to provide more comprehensive protection for certain aspects of the invention. Thus, Claims 1-14 are currently pending, with Claims 1 and 14 being independent.

Claims 1, 3-7, and 9-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Duval et al. (USP 6,343,993). Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Duval et al. Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Duval et al. in view of Geyer et al. (USP 6,474,868). Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Duval et al. in view of Breese (USP 6,761,503).

Without acceding to the outstanding rejections, Claim 1 has been revised to clarify, *inter alia*, that a rotation angle A of the male shaft with respect to the female shaft corresponding to the gap between the torque transmitting portions is less than a rotation angle B of the male shaft with respect to the female shaft corresponding to a maximum

deflection capacity of the elastic member. It is apparent that the applied references fail to teach or suggest at least this feature of Claim 1.

As acknowledged in the Office Action, Duval et al. teaches the use of torque transmitting portions 34, 35 for the purpose of providing continued torque transmission in the event the balls 3 should rupture. As such, Duval's balls 3 normally transmit torque between the male shaft 1 and female shaft 2 while transmitting portions 34, 35 do not contact each other. Thus, in contrast to Claim 1, a subsequent rotation angle A corresponding to the gap between Duval's transmitting portions would necessarily be larger than a rotation angle B corresponding to a maximum deflection of Duval's elastic member. The secondary references relate to rolling elements in contact with the male and female shafts and thus are similarly deficient with regard to the above noted features. Accordingly, Claim 1 distinguishes patentably from the applied references.

In view of the discussion above, it is also apparent that the applied references are deficient with respect to the features of new Claim 14. For example, note the features of the torque transmitting portions coming into contact with each other so as to transmit torque therebetween when a torque applied to one of the male and

female shafts exceeds the predetermined value and the torque transmitting portions coming into contact with each other prior to a maximum deflection capacity of the elastic member being reached, as recited in Claim 14.

Accordingly, Claims 1-14 are in condition for allowance, and an early Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (XA-10623) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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